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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,267	12/22/2005	Roger Brian Kempster	148/408US	5120
23638 ADAMS EVAI	7590 08/21/2007 NS P.A.		EXAMINER	
Suite 2350 Charlotte Plaza			TAWFIK, SAMEH	
201 South College Street CHARLOTTE, NC 28244			ART UNIT	PAPER NUMBER
·			3721	
			MAIL DATE	DELIVERY MODE
			08/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<u> </u>	Application No.	Applicant(s)			
	10/542,267	KEMPSTER ET AL.			
Office Action Summary	Examiner	Art Unit			
	Sameh H. Tawfik	3721			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOWHICHEVER IS LONGER, FROM THE MADE of the provisions of after SIX (6) MONTHS from the mailing date of this community of the period for reply is specified above, the maximum states are pailure to reply within the set or extended period for reply vany reply received by the Office later than three months af earned patent term adjustment. See 37 CFR 1.704(b).	AILING DATE OF THIS COMMUN of 37 CFR 1.136(a). In no event, however, may a unication. Intury period will apply and will expire SIX (6) MO will, by statute, cause the application to become A	CATION. reply be timely filed  NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed 2a) This action is <b>FINAL</b> .  2 3) Since this application is in condition for closed in accordance with the practice.	b) This action is non-final.  for allowance except for formal materials	•			
Disposition of Claims					
4) ⊠ Claim(s) 89-108 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are rejected.  7) □ Claim(s) is/are objected to.  8) ☒ Claim(s) 89-108 are subject to restriction and/or election requirement.					
Application Papers					
9)☐ The specification is objected to by the Examiner.  10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>					
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date	rO-948) Paper No	Summary (PTO-413) s)/Mail Date Informal Patent Application 			

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## **DETAILED ACTION**

## Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 89-100, drawn to airbag manufacturing apparatus.

Group II, claim(s) 101-103, drawn to a method of forming bags.

Group III, claim(s) 104-107, drawn to a cartridge.

Group IV, claim(s) 108, drawn to use of a cartridge.

The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: groups I-III lack the technical feature of using a cartridge. Groups I&II lack the technical feature of cartridge, while characterizing a tube been bunched up along its elongate axis such that the length of the bunched up film is less than the length of the extended film. Group II lacks the technical feature of trapping air in the tube between two spaced seals.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 9:00 AM to 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sameh H. Tawfik Primary Examiner Art Unit 3721

ST.